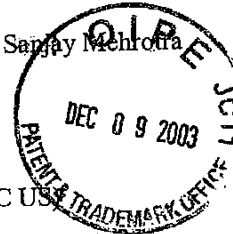


COPY

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Applicants: Eliyahu Harari, Robert D. Norman and Sangay Menhara
Title: Flash EEprom System
Application No.: 09/867,836
Filing Date: May 30, 2001
Conf. No.: 6307
Atty Docket No.: SNDK 06US7 (formerly M-10187-43C US)



ENCLOSED:

1. This Return Receipt Postcard
2. Third Supplemental Information Disclosure Statement (2 pages - in duplicate)
3. PTO Form 1449 (1 page)
4. 7 cited references

GPP/meb

Express Mail No.: EV321705318US

Due Date: n/a
Mailing Date: December 9, 2003

EV321705318US

[illegible]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Eliyahou Harari et al.

Title: Flash EEprom System

COPY

Application No.: 09/867,836

Filing Date: May 30, 2001

Examiner: Tran, Andrew Q.

Group Art Unit: 2824

Docket No.: SNDK.A06US7

Conf. No.: 6307

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants call the documents listed on the enclosed Form PTO-1449 to the Examiner's attention in this patent application. Copies of the documents listed on the accompanying Form PTO-1449 are enclosed.

Citation of these documents shall not be construed as (1) an admission that the documents are prior art with respect to the invention or inventions claimed in this application, (2) a representation that a search has been made (other than as indicated by any cited document), or (3) an admission that the cited information is, or is considered to be, material to patentability as defined in § 1.56(b).

The cited 1997 Initial Determination of the United States International Trade Commission, *In the Matter of Certain Flash Memory Circuits and Products Containing Same*, ITC investigation no. 337-TA-382, includes determinations by Administrative Law Judge Sidney Harris that claim 27 of patent no. 5,172,338 (the '338 patent) is valid and infringed. Portions of the lengthy Determination that pertain to the '338 patent are identified in its Table of Contents. For example, its validity is discussed at pages 93-102. This ITC action was initiated by SanDisk Corporation, assignee of the '338 patent and of the present application. The submitted Initial Determination was made after a full trial.

Attorney Docket No.: SNDK.A06US7
Express Mail No.: EV321705318US

Application No.: 09/867,836

The two laboratory reports being submitted herewith, one by Taurus and the other by Chipworks, report separate analyses of a product whose sale was asserted in the ITC action as prior art that anticipated claim 27 of the '338 patent. This product and the reports resulting from reverse engineering of the product are discussed by Judge Harris in his Initial Determination. The product was a SGS Thomson M293B1 electronic program memory.

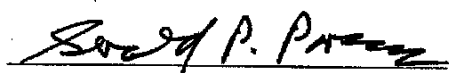
Reexamination Certificate no. B1 5,172,338 submitted herewith, dated July 8, 1997, confirmed the patentability of claim 27 and others of the '338 patent.

The Japanese Patent Office Appeal/Trial Decision being submitted herewith was rendered in connection with a Japanese patent application corresponding to the '338 patent. The documents discussed in the Decision were earlier cited in the Supplemental Information Disclosure Statement filed August 21, 2001.

This information disclosure statement is submitted under 37 C.F.R. § 1.97(b) and consequently no fee should be required. The Commissioner is authorized, however, to charge any fee that may be required, or to credit any overpayment, against Deposit Account No. 502664. This form is being submitted in duplicate.

**EXPRESS MAIL
LABEL NO:
EV321705318US**

Respectfully submitted,



Gerald P. Parsons
Reg. No. 24,486

December 9, 2003

Date

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Attorney Docket No.: SNDK.A06US7
Express Mail No.: EV321705318US

Application No.: 09/867,836

U.S. Department of Commerce, Patent and Trademark	Atty. Docket No.	Application No.
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	SN DK.A06US7	09/867,836
	Applicants	Conf. No.
(Use several sheets if necessary)	Eliyahou Harari et al.	6307
COPY	Filing Date	Art Group
	May 30, 2001	2824

U.S. Patent Documents

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	1	4,691,298	Sep. 1, 1987	Fukuda et al.			
	2	4,737,936	Apr. 12, 1988	Takeuchi			
	3	B1 5,172,338	Jul. 8, 1997	Mehrotra et al.			

U.S. Published Patent Application Documents

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate

Foreign Patent Documents

							Translation	
		Document	Date	Country	Class	Subclass	Yes	No

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	4	"An Analysis of SGS Thomson M293B1 EPM32: Electronic Program Memory for 32 Stations", <u>Chipworks</u> , October 19, 1996.
	5	"SGS M293 Electronic Program Memory Device", <u>Taeus</u> Report 60723, August 9, 1996.
	6	"Initial Determination, U.S. International Trade Commission, Investigation No. 337-TA-382, March 25, 1997.
	7	Japanese Patent Office Appeal/Trial Decision in Japanese Patent Application No. 2-506478, October 23, 2001.

Examiner

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.